

STATE OF MAINE
WORKERS' COMPENSATION BOARD

ABUSE INVESTIGATION UNIT

STATE OF MAINE
WORKERS' COMPENSATION BOARD

v.

ESIS

CONSENT DECREE

NOW COME the parties and agree as follows:

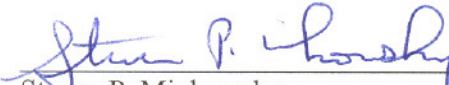
1. That Irene Abbott alleged a February 14, 2001 work-related injury while employed at Mountain Valley (Wormwood Restaurant).
2. That the initial indemnity payment to Irene Abbott was made on May 11, 2001, which was seventy-two (72) days after compensation become due and payable.
3. That pursuant to 39-A M.R.S.A. §205(3) a penalty of \$1,500.00 is warranted.
4. That nothing in this agreement shall be construed as a waiver of Irene Abbott's right to seek any weekly compensation benefits that she is or may be entitled to.

WHEREFORE, pursuant to 39-A M.R.S.A. §205(3), ESIS shall be assessed a penalty of \$1,500.00 payable to Irene Abbott.

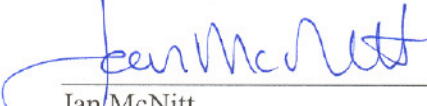
Dated: 4/1/05


Michael Stahl
Claims Vice President
ESIS

Dated: April 7, 2005


Steven P. Minkowsky
Deputy Director of Benefits Administration
Workers' Compensation Board

Dated: April 11, 2005


Jan McNitt
Supervisor of the Abuse Investigation Unit
Workers' Compensation Board

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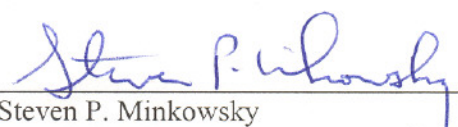
1. That Randy Cloutier alleged a November 26, 2001 work-related injury while employed at Tradesource, Inc.
2. That the final indemnity payment to Randy Cloutier was made on April 1, 2002, which was one hundred ten (110) days after the previous indemnity payment which was made on December 12, 2001.
3. That pursuant to 39-A M.R.S.A. §205(3) a penalty of \$1,500.00 is warranted.
4. That nothing in this agreement shall be construed as a waiver of Randy Cloutier's right to seek any weekly compensation benefits that he is or may be entitled to.

WHEREFORE, pursuant to 39-A M.R.S.A. §205(3), ESIS shall be assessed a penalty of \$1,500.00 payable to Randy Cloutier.

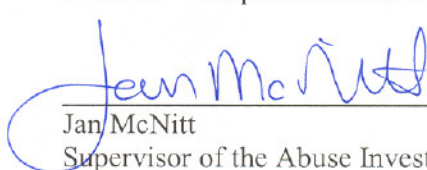
Dated: 4/1/05


Michael Stahl
Claims Vice President
ESIS

Dated: April 7, 2005


Steven P. Minkowsky
Deputy Director of Benefits Administration
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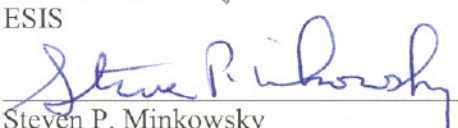
1. That Beth Dana alleged an October 26, 2001 work-related injury while employed at Staples, Inc.
2. That the initial indemnity payment to Beth Dana was made on January 16, 2002, which was sixty-five (65) days after compensation become due and payable.
3. That pursuant to 39-A M.R.S.A. §205(3) a penalty of \$1,500.00 is warranted.
4. That nothing in this agreement shall be construed as a waiver of Beth Dana's right to seek any weekly compensation benefits that she is or may be entitled to.

WHEREFORE, pursuant to 39-A M.R.S.A. §205(3), ESIS shall be assessed a penalty of \$1,500.00 payable to Beth Dana.

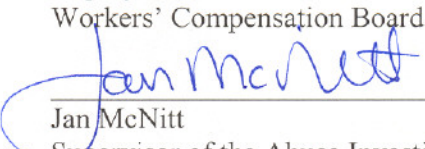
Dated: 4/1/05


Michael Stahl
Claims Vice President
ESIS

Dated: April 7, 2005


Steven P. Minkowsky
Deputy Director of Benefits Administration
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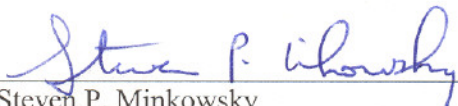
1. That Shane Gionette alleged a March 23, 2001 work-related injury while employed at Labor Ready.
2. That the initial indemnity payment to Shane Gionette was made on June 22, 2001, which was seventy two (72) days after compensation became due and payable.
3. That pursuant to 39-A M.R.S.A. §205(3) a penalty of \$1,500.00 is warranted.
4. That nothing in this agreement shall be construed as a waiver of Shane Gionette's right to seek any weekly compensation benefits that he is or may be entitled to.

WHEREFORE, pursuant to 39-A M.R.S.A. §205(3), ESIS shall be assessed a penalty of \$1,500.00 payable to Shane Gionette.


Dated: 4/1/05


Michael Stahl
Claims Vice President
ESIS

Dated: April 7, 2005


Steven P. Minkowsky
Deputy Director of Benefits Administration
Workers' Compensation Board

Dated: April 11, 2005


Jan McNitt
Supervisor of the Abuse Investigation Unit
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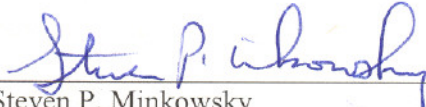
1. That Jason Barry alleged an August 23, 2003 work-related injury while employed at Time Warner.
2. That the initial indemnity payment to Jason Barry was made on November 4, 2003, which was fifty six (56) days after compensation became due and payable.
3. That pursuant to 39-A M.R.S.A. §205(3) a penalty of \$1,300.00 is warranted.
4. That nothing in this agreement shall be construed as a waiver of Jason Barry's right to seek any weekly compensation benefits that he is or may be entitled to.

WHEREFORE, pursuant to 39-A M.R.S.A. §205(3), ESIS shall be assessed a penalty of \$1,300.00 payable to Jason Barry.

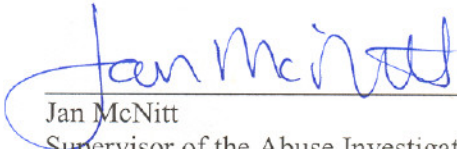
Dated: 4/1/05


Michael Stahl
Claims Vice President
ESIS

Dated: April 7, 2005


Steven P. Minkowsky
Deputy Director of Benefits Administration
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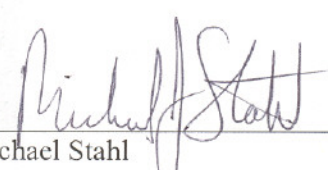
CONSENT DECREE

NOW COME the parties and agree as follows:

1. That Samuel Blackstone alleged an April 11, 2003 work-related injury while employed at Rotech Health Care, Inc. (Acadia Home Care).
2. That the initial indemnity payment to Samuel Blackstone was made on June 13, 2003, which was forty-eight (48) days after compensation became due and payable.
3. That pursuant to 39-A M.R.S.A. §205(3) a penalty of \$900.00 is warranted.
4. That nothing in this agreement shall be construed as a waiver of Samuel Blackstone's right to seek any weekly compensation benefits that he is or may be entitled to.

WHEREFORE, pursuant to 39-A M.R.S.A. §205(3), ESIS shall be assessed a penalty of \$900.00 payable to Samuel Blackstone.

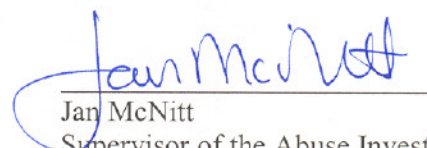
Dated: 4/1/05


Michael Stahl
Claims Vice President
ESIS

Dated: April 7, 2005


Steven P. Minkowsky
Deputy Director of Benefits Administration
Workers' Compensation Board

Dated: April 11, 2005


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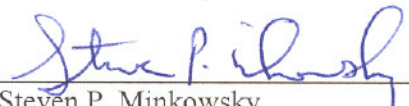
1. That Samuel Blackstone alleged an April 11, 2003 work-related injury while employed at Rotech Health Care, Inc. (Acadia Home Care).
2. That Samuel Blackstone's benefits were not increased from partial to total until December 11, 2003, which was one hundred twenty two (122) days after compensation became due and payable.
3. That pursuant to 39-A M.R.S.A. §205(3) a penalty of \$1,500.00 is warranted.
4. That nothing in this agreement shall be construed as a waiver of Samuel Blackstone's right to seek any weekly compensation benefits that he is or may be entitled to.

WHEREFORE, pursuant to 39-A M.R.S.A. §205(3), ESIS shall be assessed a penalty of \$1,500.00 payable to Samuel Blackstone.

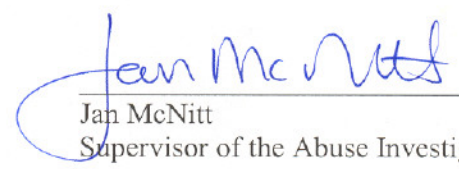
Dated: 4/1/05


Michael Stahl
Claims Vice President
ESIS

Dated: April 7, 2005


Steven P. Minkowsky
Deputy Director of Benefits Administration
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Dated: April 11, 2005


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v.

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CONSENT DECREE

NOW COME the parties and agree as follows:

1. That Allen Libby alleged a February 12, 2003 work-related injury while employed at Labor Ready.
2. That the initial indemnity payment to Allen Libby was made on April 25, 2003, which was fifty seven (57) days after compensation became due and payable.
3. That pursuant to 39-A M.R.S.A. §205(3) a penalty of \$1,350.00 is warranted.
4. That nothing in this agreement shall be construed as a waiver of Allen Libby's right to seek any weekly compensation benefits that he is or may be entitled to.

WHEREFORE, pursuant to 39-A M.R.S.A. §205(3), ESIS shall be assessed a penalty of \$1,350.00 payable to Allen Libby.

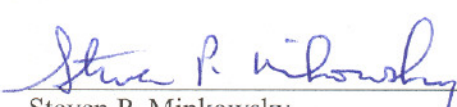
Dated:

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Michael Stahl
Claims Vice President
ESIS

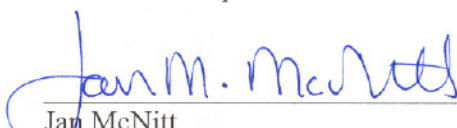
Dated:

April 7, 2005


Steven P. Minkowsky
Deputy Director of Benefits Administration
Workers' Compensation Board

Dated:

April 11, 2005


Jan McNitt
Supervisor of the Abuse Investigation Unit
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ESIS


CONSENT DECREE

NOW COME the parties and agree as follows:

1. That Bruce McLeod alleged a November 25, 2003 work-related injury while employed at Sappi Fine Paper.
2. That Bruce McLeod was incapacitated on six days between January 1, 2004 and January 26, 2004.
3. That payment to Bruce McLeod for five of those six days was made on December 14, 2004, which was three hundred fourteen (314) days after compensation became due and payable.
4. That pursuant to 39-A M.R.S.A. §205(3) a penalty of \$1,500.00 is warranted.
5. That nothing in this agreement shall be construed as a waiver of Bruce McLeod's right to seek any weekly compensation benefits that he is or may be entitled to.

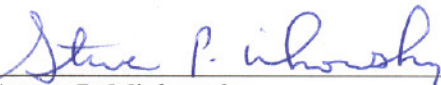
WHEREFORE, pursuant to 39-A M.R.S.A. §205(3), ESIS shall be assessed a penalty of \$1,500.00 payable to Bruce McLeod.

Dated: 4/1/05



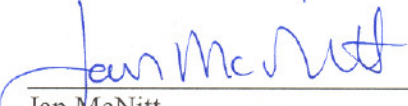
Michael Stahl
Claims Vice President
ESIS

Dated: April 7, 2005



Steven P. Minkowsky
Deputy Director of Benefits Administration
Workers' Compensation Board

Dated: April 11, 2005



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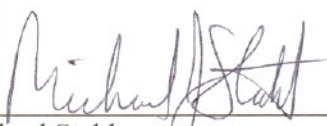
CONSENT DECREE

NOW COME the parties and agree as follows:

1. That Joseph Medeiros alleged a May 28, 2003 work-related injury while employed at Sappi Fine Paper.
2. That Joseph Medeiros was partially incapacitated between June 15, 2003 and September 5, 2003.
3. That payment to Joseph Medeiros for that incapacity was made on December 15, 2004, which was three hundred ninety eight (398) days after compensation became due and payable.
4. That pursuant to 39-A M.R.S.A. §205(3) a penalty of \$1,500.00 is warranted.
5. That nothing in this agreement shall be construed as a waiver of Joseph Medeiros' right to seek any weekly compensation benefits that he is or may be entitled to.

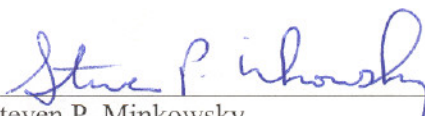
WHEREFORE, pursuant to 39-A M.R.S.A. §205(3), ESIS shall be assessed a penalty of \$1,500.00 payable to Joseph Medeiros.

Dated: 4/1/05



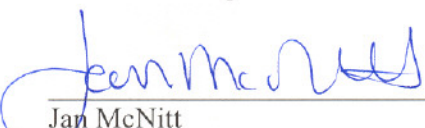
Michael Stahl
Claims Vice President
ESIS

Dated: April 7, 2005



Steven P. Minkowsky
Deputy Director of Benefits Administration
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Dated: April 11, 2005



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CONSENT DECREE

NOW COME the parties and agree as follows:

1. That Raymond Vincent alleged a May 31, 2003 work-related injury while employed at Staples.
2. That no Notice of Controversy was filed until one hundred six (106) days after compensation became due and payable.
3. That the mandatory payment to Raymond Vincent was made on September 30, 2003, which was one day after the Notice of Controversy was filed.
4. That pursuant to 39-A M.R.S.A. §205(3) a penalty of \$1,500.00 is warranted.
5. That nothing in this agreement shall be construed as a waiver of Raymond Vincent's right to seek any weekly compensation benefits that he is or may be entitled to.

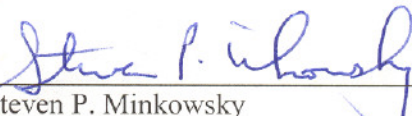
WHEREFORE, pursuant to 39-A M.R.S.A. §205(3), ESIS shall be assessed a penalty of \$1,500.00 payable to Raymond Vincent.

Dated: 4/1/05



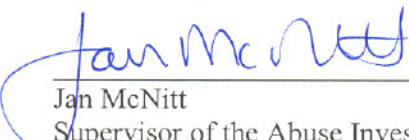
Michael Stahl
Claims Vice President
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Dated: April 7, 2005



Steven P. Minkowsky
Deputy Director of Benefits Administration
Workers' Compensation Board

Dated: April 11, 2005



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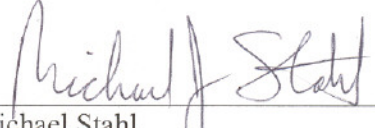
CONSENT DECREE

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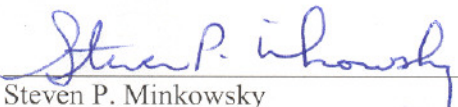
1. That ESIS has engaged in patterns of questionable claims-handling techniques in violation of Section 359(2) by failing:
 - (a) to pay claims timely;
 - (b) to pay benefits due;
 - (c) to calculate benefits accurately;
 - (d) to file or timely file required forms with the Maine Workers' Compensation Board; and
 - (e) to report accurate information on forms filed with the Maine Workers' Compensation Board.
2. That no formal hearing is required because of this Consent Decree.
3. That these findings are certified to the Bureau of Insurance pursuant to 39-A M.R.S.A. §359(2).

WHEREFORE, pursuant to 39-A M.R.S.A. §359(2), a civil forfeiture of \$10,000.00 shall be paid to Treasurer, State of Maine for engaging in patterns of questionable claims-handling techniques. This penalty payment shall be sent to the to the attention of Mr. Steven Minkowsky, Deputy Director of Benefits Administration, Workers' Compensation Board, 27 State House Station, Augusta, Maine 04333-0027.

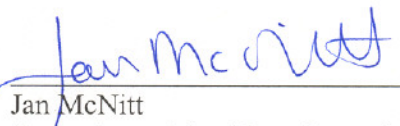
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Michael Stahl
Claims Vice President
ESIS

Dated: April 7, 2005


Steven P. Minkowsky
Deputy Director of Benefits Administration
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Dated: April 11, 2005


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CONSENT DECREE

NOW COME the parties and agree as follows:

1. That the following forms are required pursuant to 39-A M.R.S.A. and/or Board-approved rules:

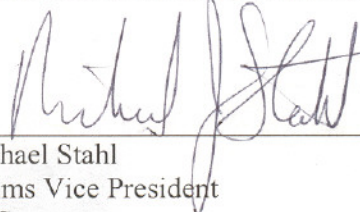
Employee	Date of Injury	Forms Not Filed
Laurie Chase	October 5, 2001	WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement
Robert Gagnon	May 15, 2001	WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement
Mark Lawrence	February 22, 2001	WCB-2, Wage Statement
Nicholas Wilhelm	June 5, 2001	WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement

2. That the forms listed above have not been filed to date.
3. That the failure to file the foregoing forms represents seven (7) separate violations of 39-A M.R.S.A. §360(1)(A).
4. That nothing in this agreement shall be construed as a waiver of the Workers' Compensation Board's right to seek additional penalties pursuant to 39-A M.R.S.A. §359(2) or 39-A M.R.S.A. §360(2) or both sections.

WHEREFORE, pursuant to 39-A M.R.S.A. §360(1)(A), a civil forfeiture of \$100.00 shall be assessed for the foregoing seven (7) violations for a total penalty of \$700.00, payable to Treasurer, State of Maine. This penalty payment and copies of the outstanding forms identified above shall be sent to the attention of Mr. Steven Minkowsky, Deputy Director of Benefits Administration, Workers' Compensation Board, 27 State House Station, Augusta, Maine 04333-0027.

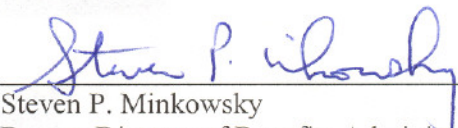
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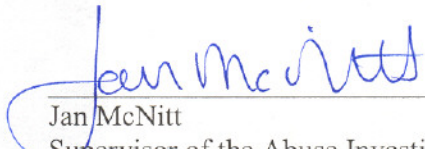
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April 7, 2005


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NOW COME the parties and agree as follows:

1. That the following forms are required pursuant to 39-A M.R.S.A. and/or Board-approved Rules:

Employee	Date of Injury	Forms Filed Late
Irene Abbott	February 14, 2001	WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-3, Memorandum of Payment WCB-11, Statement of Compensation Paid
Thaddeus Bacon	February 4, 2001	WCB-1, Employer's First Report or Occupational Injury or Disease WCB-2A, Schedule of Dependents and Filing Status Statement WCB-11, Statement of Compensation Paid
Nancy Bickford	July 30, 2001	WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-11, Statement of Compensation Paid
Randy Cloutier	November 26, 2001	WCB-1, Employer's First Report or Occupational Injury or Disease WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement
Ula Cousins	February 8, 2001	WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-11, Statement of Compensation Paid
Beth Dana	October 26, 2001	WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-3, Memorandum of Payment

Shane Gionette	March 23, 2001	WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-3, Memorandum of Payment WCB-11, Statement of Compensation Paid
Phil Lapierre	April 15, 2001	WCB-1, Employer's First Report or Occupational Injury or Disease
Mark Lawrence	February 22, 2001	WCB-2A, Schedule of Dependent(s) and Filing Status Statement
Terry McFarland	December 7, 2001	WCB-2A, Schedule of Dependent(s) and Filing Status Statement
Glenn Paul	September 16, 2001	WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-11, Statement of Compensation Paid
Susanne Porter	December 10, 2001	WCB-2, Wage Statement WCB-11, Statement of Compensation Paid WCB-11, Statement of Compensation Paid

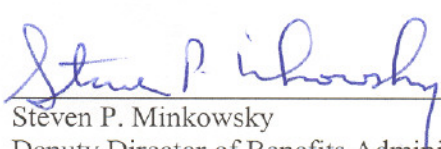
2. That the forms listed above were filed late.
3. That the failure to file the foregoing forms timely represents thirty (30) separate violations of 39-A M.R.S.A. §360(1)(B).
4. That nothing in this agreement shall be construed as a waiver of the Workers' Compensation Board's right to seek additional penalties pursuant to 39-A M.R.S.A. §359(2) or 39-A M.R.S.A. §360(2) or both sections.

WHEREFORE, pursuant to 39-A M.R.S.A. §360(1)(B), a civil forfeiture of \$100.00 shall be assessed for the foregoing thirty (30) violations for a total penalty of \$3,000.00, payable to Treasurer, State of Maine and sent to the attention of Mr. Steven Minkowsky, Deputy Director of Benefits Administration, Workers' Compensation Board, 27 State House Station, Augusta, Maine 04333-0027.

Dated: 4/1/05


Michael Stahl
Claims Vice President
ESIS

Dated: April 7, 2005


Steven P. Minkowsky
Deputy Director of Benefits Administration
Workers' Compensation Board

Dated: April 11, 2005


Jan McNitt
Supervisor of the Abuse Investigation Unit
Workers' Compensation Board

STATE OF MAINE
WORKERS' COMPENSATION BOARD

ABUSE INVESTIGATION UNIT

STATE OF MAINE
WORKERS' COMPENSATION BOARD

v.

ESIS

CONSENT DECREE

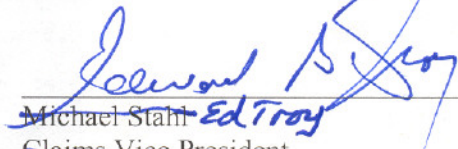
NOW COME the parties and agree as follows:

- (a staff member)
1. That ESIS willfully violated the Act and is subject to civil penalty under Section 360(2) by failing to provide a response to an October 2, 2003 request for information related to a Complaint for Audit.
 2. That no formal hearing is required because of this Consent Decree.

WHEREFORE, pursuant to 39-A M.R.S.A. §360(2), a civil forfeiture of \$10,000.00 shall be paid to Treasurer, State of Maine for willfully violating the Act. The penalty payment shall be sent to the attention of Mr. Steven Minkowsky, Deputy Director of Benefits Administration, Workers' Compensation Board, 27 State House Station, Augusta, Maine 04333-0027.

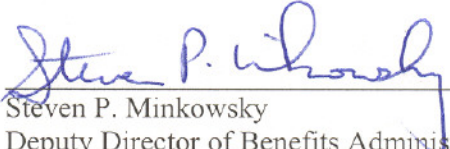
Dated:

4-6-05


Michael Stahl
Claims Vice President
ESIS

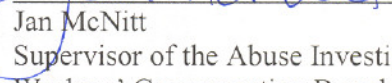
Dated:

April 7, 2005


Steven P. Minkowsky
Deputy Director of Benefits Administration
Workers' Compensation Board

Dated:

April 11, 2005


Jan McNitt
Supervisor of the Abuse Investigation Unit
Workers' Compensation Board